

AFFIDAVIT

I, Detective Frank Rorabaugh, a Detective with the Kansas City, Missouri Police Department (KCMOPD), having first duly sworn upon my oath, do hereby depose and state:

Affiant makes this affidavit in support of the issuance of the search warrant to search the following described person; to wit:

Kody R. Williams, Black Male, DOB: 08-21-1982, presently being held at Caldwell County Detention, 280 W. Main Street, Kingston, MO 64650; and

to seize anything which has been used in the commission of a crime or which is contraband or which is property which constitutes or may be considered part of the evidence, fruits or instrumentalities of a crime, particularly the described items:

Deoxyribonucleic acid (“DNA”) sample taken by way of a buccal swab taken orally from inside Williams’s cheeks.

This affidavit contains information necessary to support probable cause for this application. It is not intended to include every fact or matter observed by me or known by law enforcement. The information provided is based on my personal knowledge and observations during the course of this investigation, information conveyed to me by other law enforcement officials, and my review of records, documents, and other physical evidence obtained during this investigation. From my review of reports and other statements prepared by law enforcement officers I have learned that:

1. On August 6, 2018, at approximately 12:08 A.M., Officer Dylan Pifer with KCMOPD’s Metro Patrol Division conducted a traffic violation on a black 2008 Chevrolet Impala bearing Missouri license WL2B9F after observing the vehicle change lanes without signaling the turn at 61st Street and Swope Parkway, Kansas City, Jackson County, Missouri, within the Western District of Missouri.
2. Contact was made with the driver, **Kody R. Williams** (Black Male, DOB: 08-21-1982), who provided Officer Pifer with his Missouri Driver’s License. Once Officer Pifer determined that **Williams** was a “Crip” gang member who was on federal supervised release for being a felon in possession of a firearm. Officer Pifer asked **Williams** to step out of the car. **Williams** exited the vehicle willingly but then fled from Officer Pifer on foot. Officer Pifer pursued **Williams**, but **Williams** escaped.
3. Upon reviewing his dash camera recorded video footage, Officer Pifer determined an unknown female exited the car and walked away after Officer Pifer ran after **Williams**.
4. The Chevrolet Impala was towed from the scene and law enforcement conducted an inventory search of the vehicle prior to towing it. A Springfield XDM9, 9mm semi-automatic handgun bearing serial number MG748446 was located beneath the driver’s seat. The handgun was loaded with a live round of ammunition in the chamber and seventeen live rounds of ammunition in the magazine. It was determined that the

handgun had been reported stolen on April 4, 2017. Law enforcement processed the firearm for deoxyribonucleic acid (“DNA”) testing and used a buccal swabs to take samples from the trigger, slide, trigger guard, and grip.

5. A review of **Williams**'s criminal history revealed he was a convicted felon and on federal supervision for being a felon in possession of a firearm. A warrant was issued for **Williams**'s arrest.
6. On September 24, 2018, at approximately 9:20 A.M., **Williams** turned himself in to the Police.
7. On September 24, 2018, at 11:21 A.M., I attempted to question **Williams** in regard to this offense. Prior to questioning, I advised **Williams** of his *Miranda rights*. **Williams** exercised his right to counsel and was not questioned.
8. Special Agent Stephen Gravatt, a Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) Interstate Nexus Expert, examined the Springfield XDM9, 9mm semi-automatic handgun bearing serial number MG748446, and concluded it was not manufactured in the State of Missouri.
9. Based upon the above information, I believe probable cause exists to believe **Williams** committed the federal felony offense of being a felon in possession of a firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2). There is probable cause to believe that **Williams**'s DNA was recovered from the buccal swabs used to take samples from the trigger, slide, trigger guard, and grip of the firearm recovered in this investigation. Obtaining known DNA samples directly from **Williams** is needed for comparative analysis.
10. Based upon the investigation detailed herein, I request a search warrant be issued for the collection of the DNA of **Kody R. Williams** (Black Male, DOB: 08-21-1982), by way of a buccal swab, to compare **Williams**'s DNA to any DNA recovered from the Springfield XDM9, 9mm semi-automatic handgun.



FRANK RORABAUGH
Detective
Kansas City, Missouri Police Department

Sworn to before me and subscribed in my presence
this 10th day of April 2019, at Kansas City, Missouri.



HONORABLE LAJUANA M. COUNTS
United States Magistrate Judge
Western District of Missouri

